

IMPORTANT - THIS COMMUNICATION AFFECTS YOUR PROPERTY

**TOWN AND COUNTRY PLANNING ACT 1990 (as amended by the PLANNING
AND COMPENSATION ACT 1991)**

BREACH OF CONDITION NOTICE

Issued by: North East Lincolnshire Borough Council

1. **This is a formal notice** which is issued by the Council, under Section 187A of the above Act, because the Council considers that conditions imposed on a grant of planning permission DC/1154/10/WOL relating to the land described below, have not been complied with. It considers that you should be required to secure compliance with the conditions specified in this notice.

2. **The land affected by the notice**

The land known as Lilly's Tea Rooms, 1 High Street, Laceby, Grimsby, North East Lincolnshire DN37 7HU (edged red on the attached plan).

3. **The relevant planning permission**

The relevant planning permission to which this notice relates is the permission granted by the Council on the 13th April 2011 as per approved planning application no. DC/1154/10/WOL (attached hereto).

4. **The breach of condition**

The following condition has not been complied with:-

Condition 2

The premises shall not be open for business outside the hours of 0900 to 1700 on any day.

Reason

In the interests of local amenity to accord to saved Policy GEN1 of the North East Lincolnshire Local Plan 2003.

5. **What you are required to do**

As the person responsible for the breach of condition specified in paragraph 4 of this notice, you are required to comply with the stated conditions by taking the following steps:-

Requirement No. 1

Cease all business/trading outside the hours of 0900 to 1700 on any day.

Time for Compliance:

Requirement No.1

28 Days from the date this notice takes effect.

6. **When this notice takes effect**

This notice takes effect immediately it is served on you or you receive it by postal delivery.

Signed:



Dated:

29 FEB 2012

On behalf of: North East Lincolnshire Borough Council

WARNING

There is no right of appeal against the notice

It is an offence to contravene the requirements stated in paragraph 5 of this notice after the end of the compliance period. You will then be at risk of immediate prosecution in the Magistrates' Court, for which the maximum penalty is £1,000 for a first offence and for any subsequent offence. If you are in any doubt about what this notice requires you to do, you should get in touch immediately with Miss K Walker, Planning and Transportation Department, Origin One, Origin Way, Europarc, Grimsby DN37 9TZ. Tel. 01472 324998

If you need independent advice about this notice, you are advised to contact urgently a lawyer, planning consultant or other professional adviser specialising in planning matters. If you wish to contest the validity of the notice, you may only do so by an application to the High Court for judicial review. A lawyer will advise you on what this procedure involves.

Do not leave your response to the last minute

NOTICE OF DECISION

Application Number: DC/1154/10/WOL

Issuing Authority: North East Lincolnshire Council

Applicant's Name and Address:

Miss Sue Hodds
Lilly's
3 Grove House
South Street
Keelby
N E Lincolnshire
DN41 8HE

The following decision has been made upon your application received on **22nd December 2010** relating to:-

Application Site: 1 High Street (Albion House) Laceby Grimsby

Proposal: Retrospective Change of use from Beauty Salon to A3 (Tea Room).

Granted subject to:-

1 Condition

The development shall be in accordance with plans and Design and Access Statement date stamped received by the Local Planning Authority on 3rd February 2011 and Conservation and Listed Building Appraisal date stamped received by the Local Planning Authority on 21st February 2011. The works hereby permitted relate to change of use only and for no external changes whatsoever.

Reason

For the avoidance of doubt and to ensure the satisfactory use of the building to accord to saved Policy GEN1, BH1 and BH5 of the North East Lincolnshire Local Plan 2003.

2 Condition

The premises shall not be open for business outside the hours of 0900 to 1700 on any day.

Reason

In the interests of local amenity to accord to saved Policy GEN1 of the North East Lincolnshire Local Plan 2003.

3 Reason for Approval

The Council as Local Planning Authority has had regard to the relevant policies of the development plan especially those as set out in the North East Lincolnshire Local Plan 2003.

The proposal would not harm the character of the conservation area or the amenity of local businesses or residents and would be acceptable in all other planning considerations. This proposal has been approved in accordance with the North East Lincolnshire Local Plan 2003 in particular saved Policy GEN1, BH1, BH5 and S7.

This Notice is issued on behalf of the Local Planning Authority.

Signed:



Dated: 13th April 2011

Marc Cole

Official Capacity: Executive Director of Regeneration

Location Map



Details

Plotting in MapInfo made easier

Drawn by

walkek2

Scale

1:1000

Date

27/02/2012

File Pathname / Project / Drawing No.

Rev
No.

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